

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNION PACIFIC RAILROAD COMPANY,)	
)	
Plaintiff,)	8:08CV336
)	
v.)	
)	
UNITED STATES DEPARTMENT OF)	
HOMELAND SECURITY, et al.,)	
)	
Defendants.)	
)	
)	
UNITED STATES OF AMERICA,)	8:10CV430
)	
Plaintiff,)	
)	
v.)	
)	
UNION PACIFIC RAILROAD COMPANY,)	
)	
Defendant.)	
)	
)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:10CV444
)	
v.)	
)	
UNION PACIFIC RAILROAD COMPANY,)	
)	
Defendant.)	
)	
)	

In conformity with the Memorandum and Order entered this date,

IT IS HEREBY ORDERED that:

1. The United States Department of Homeland Security, Janet A. Napolitano, in her official capacity, their officers, agents, and employees are enjoined from placing into effect, enforcing, collecting or taking any action to enforce or collect any fine or other penalty

levied by Customs and Border Patrol against Union Pacific Railroad Company, pursuant to 15 U.S.C. § 1584, for failure to manifest illegal drugs found in railcars over which Union Pacific Railroad Company has no control entering the United States from Mexico, until such time as regulations permitting such action are properly promulgated.

2. The United States Department of Homeland Security, Janet A. Napolitano, in her official capacity, their officers, agents, servants, and employees are enjoined from seizing any railroad equipment pursuant to 15 U.S.C. § 1594 for failure to manifest illegal drugs found in railcars, over which Union Pacific Railroad Company has no control, entering the United States from Mexico, until such time as regulations permitting such action are properly promulgated.

DATED this 19th day of December, 2011.

BY THE COURT:

s/Joseph F. Bataillon
United States District Judge